



PATENT
Customer No. 22,852
Attorney Docket No. 06556.0003-04

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3624
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
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John POLK) Group Art Unit: 3624
)
Application No.: 09/975,241) Examiner: Stefano Karmis
)
Filed: October 12, 2001) Confirmation No. 2371
)
For: METHOD AND APPARATUS FOR)
CHILD SUPPORT PAYMENT)
PROCESSING AND CHILD)
SUPPORT DISBURSEMENT)
PROCESSING BY A)
PROCESSING ENTITY)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

In an Office Action dated August 11, 2006, the Examiner required restriction among claims allegedly directed to three species characterized by the Examiner as follows:

Species I: A method of accumulating a child support payment and processing a child support disbursement wherein child support disbursement information is initiated through a collector and transferring to the accumulator agency the child support payment and the child support disbursement information form the collector.

Species II: A method of processing a child support disbursement comprising transmitting by the accumulator agency through the bank child support disbursement information to the state and receiving at the accumulator agency through the bank child support disbursement transaction information from the state.

Species III: A method of accumulating a child support payment and processing a child support disbursement wherein child support disbursement information is instituted through an employer and receiving at the accumulator agency the child support payment and the child support disbursement information from the employer.

Furthermore, the Examiner found claim 371 to be generic. Applicant notes that claims 375 and 379 contain recitations similar to those of claim 371. Therefore, Applicant contends that claims 375 and 379 should also be considered generic if the restriction requirement is made final.

Applicant respectfully traverses the species requirement at least because the Examiner has not alleged, as required by M.P.E.P. § 808.02, that there would be a serious burden on the Examiner if the claims are not restricted. On the contrary, the claims have been fully examined at least four times, with Office Actions issued on the merits of all pending claims on June 19, 2002, January 14, 2003, December 3, 2003, and November 3, 2004. Thus, Applicant submits that there would be no burden on the Examiner to continue examining the claims altogether.


However, in order to advance prosecution in this application and as required by 37 C.F.R. § 1.143, Applicant elects, with traverse, species 2 for prosecution at this time. In a telephone conference on October 3, 2006, the Examiner and Applicant agreed that species 2 includes at least claims 396-439. The Examiner further agreed that, once elected, these claims should be allowable based on the arguments and amendments submitted in Applicant's Reply to Office Action filed on May 15, 2006. Accordingly, if the Examiner declines to withdraw the species requirement, Applicant requests the timely allowance of at least claims 396-439 and generic claims 371, 375, and 379 and their respective dependent claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 11, 2006

By: 
Erika Harmon Arner
Reg. No. 57,540